

7057-001-95X



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :

KRZYSTOF MATYJASZEWSKI ET/AL : GROUP ART UNIT: 1505

SERIAL NO: 08/414,415 :

FILED: MARCH 31, 1995 EXAMINER: CHENG

FOR: NOVEL (C) POLYMERS AND A  
NOVEL POLYMERIZATION  
PROCESS BASED ON ATOM  
(OR GROUP) TRANSFER  
RADICAL POLYMERIZATION

H Y  
6/5/96

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the Office Action of May 3, 1996,  
concerning the Restriction Requirement, Applicants  
provisionally elect Group I directed to a process of  
polymerization with traverse.

Restriction is only proper if the restricted inventions  
are independent or patentably distinct and there is a serious  
burden placed on the Examiner if restriction is not required  
(MPEP 803). The burden is on the Examiner to provide reasons  
and/or examples to support any conclusion of patentable  
distinctness between the restricted inventions (MPEP 803).

Applicants respectfully traverse the Restriction  
Requirement on the grounds that no adequate reasons and/or  
examples have been provided to support conclusions of  
patentable distinctness between the restricted invention and

that of a serious burden is placed on the Examiner if restriction is not required.

In particular, the Examiner has asserted that the product as claimed can be made by a materially different process such as polymerizing the monomers with benzoyl peroxide as the initiator. Applicants submit that a polymerization initiated with benzoyl peroxide will produce a random copolymer, not the structured copolymer subject matter claimed in the present application. Applicants respectfully request the withdrawal of the rejection.

Applicants submit that the application is now ready for examination on the merits.

Respectfully submitted,

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